

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE-OPELOUSAS DIVISION**

**CLINT A. GANT**

**CIVIL ACTION NO. 07-0618**

**VS.**

**JUDGE HAIK**

**HELIX ENERGY SOLUTIONS GROUP  
CAL DIVE I-TITLE X I INC.  
TIDEWATER MARINE L.L.C.**

**MAGISTRATE JUDGE METHVIN**

***RULING ON MOTION TO COMPEL***  
***(Rec. Doc. 33)***

Before the undersigned magistrate judge is the Motion to Compel filed by plaintiff Clint Gant on December 1, 2007. Mover seeks an order requiring defendant Tidewater Marine, L.L.C. ("Tidewater") to answer plaintiff's First Set of Written Discovery propounded on September 25, 2007. The record shows that mover's counsel has requested discovery responses in a telephone conference with Tidewater's counsel, but no responses have been provided. The motion is unopposed.<sup>1</sup>

Considering the foregoing,

**IT IS HEREBY ORDERED** that plaintiff's Motion to Compel is **GRANTED**.

Tidewater shall provide full and complete responses to plaintiff's discovery **within ten days of the date of this order**.

**IT IS FURTHER ORDERED** that, pursuant to F.R.Civ.P. 37(a)(4), Tidewater shall pay the attorney's fees and costs incurred in connection with the filing and prosecution of the instant motion to compel. Counsel for plaintiff shall file a motion to set attorney's fees and an affidavit of fees and costs into the record **on or before January 28, 2008** in order to assist the court in the

---

<sup>1</sup> Local Rule 7.5W requires that written opposition to a motion be filed within 15 days after service of the motion. Defendant has not filed an opposition.

assessment of a reasonable fees and costs award. The affidavit(s) shall contain: (1) The customary hourly rate of each attorney and paralegal involved; (2) a detailed description of each task completed, and a statement of the amount of time expended upon each task; and (3) an itemized list of expenses incurred. Failure to file the affidavit in the form required and/or within the deadline imposed will render the award null and void. **Objections to the affidavit shall be filed on or before February 11, 2008.**

The Clerk of Court shall notice any motion and affidavit filed for consideration on the undersigned's February 2008 motion calendar, without oral argument, as an "assessment of Rule 37(a)(4) fees and expenses."

**IT IS FURTHER ORDERED** that the Clerk shall remove the motion to compel from the undersigned's January 23, 2008 motion calendar.

Signed at Lafayette, Louisiana, on January 8, 2008.

  
Mildred E. Methvin  
United States Magistrate Judge  
800 Lafayette St., Suite 3500  
Lafayette, Louisiana 70501  
(337) 593-5140 (phone) 593-5155 (fax)